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Reporter and scientist tangle in stubborn pursuit of truth

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Judging journalism

The wide worlds of journalism, global intelligence and diplomacy collided with a narrow, highly specialized scientific world last week.

The locale was a Minnesota News Council hearing. On the docket was a complaint against the St. Paul Dispatch brought by Chester J. Mirocha, a plant pathology professor at the University of Minnesota's St. Paul campus.

The intricacies of Mirocha's subject exceed the grasp of most people. But everyone can comprehend the chronicle of American spies and Communist perfidy that underlies his complaint.

The episode also involves a reticent Philadelphia scientist who acted as an undercover intermediary for the State Department in connection with a hush-hush investigation of clues to "yellow rain" warfare conducted by the Soviets and the Vietnamese.

Professor Mirocha, an internationally renowned mycotoxin expert, is a rather private person who had never dealt with a reporter before this story broke.

His antagonist is 26-year-old Jeann Linsley, a personally shy but professionally aggressive reporter. She joined the Dispatch last July from her first job at the Bay City (Mich.) Times. She also had a three-month internship in 1978 on the staff of Jack Anderson, the muckraking syndicated columnist.

The issue boiled down to whether she and her editors owed Mirocha an apology, both for flaws in a Sept. 28 front-page story, "U professor made secret tests for biological warfare agents," and the relentless techniques she used to get her story.

The key word in the headline is "secret."

For if, in fact, Mirocha had knowingly done secret testing of leaf and stem samples found last March by U.S. intelligence operatives in Cambodia near the Thai border, he would have violated university policy against unauthorized secret work. His indignant denial of any impropriety frames the issue now before the News Council.

The fact is that a young reporter had a piece of what one council member called "one hell of a story" about a controversy still boiling in Washington, Moscow and points east.

It's a story in which the professor unwillingly played a starring role that was thrust upon him by no less a public figure than Secretary of State Alexander Haig.

In a speech in Berlin on Sept. 13, Haig made a stunning charge: that confirmation had been found for reports that the Soviet Union and the Vietnamese were using lethal toxic agents known as mycotoxins, which are organically produced poisons.

Any allegation of what's loosely called chemical warfare sets off an international sensation. In this instance, the Soviet Union denounced Haig's charges as "a big lie" geared to win support for President Reagan's plan to resume production of U.S. chemical weapons. Just this week, the CIA leaked a story that it had more hard and "grotesque" evidence that the Soviet Union used chemical warfare—including "yellow rain"—to kill up to 30,000 people in Southeast Asia and Afghanistan.

Haig's chief evidence was an analysis of the Cambodian leaf and stem sample, which showed certain mycotoxins linked to the effects of yellow rain. That's a reference to the yellow powder in which the poisons were reportedly released from airplanes. Poisons of this kind cause vomiting, itching, blisters, internal hemorrhaging and, ultimately, death. Instances of this have been reported from Cambodia, Laos and Afghanistan.

Who made the analysis?

At first the State Department said that much of the information about the project was classified. Yet, two days later, on Sept. 15, news service stories from Washington said government officials indicated the test was made by a Minnesota researcher whom they refused to identify.

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Now the scene shifts to St. Paul.

Enter, like gang busters, Jeann Linsley.

She and another reporter, armed with the cryptic account from Washington, followed the trail to Mirocha, tracking him down in Egypt, where he was conducting a scientific seminar. After eight calls to Cairo, Linsley finally reached Mirocha.

Depending on your viewpoint, it could be said that while the professor was snotty, the reporter was sassy.

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By her account, the professor refused to identify the client for whom he ran the tests, and though he told her to stop asking questions about the sample, he also promised to call her back, which he didn't do until Sept. 25 in St. Paul.

By his account, he and his lab staff simply didn't know the plant samples came from Southeast Asia when they arrived in mid-July for immediate analysis. He therefore resented Linsley's suggestion that his tests were secret and improper by university standards. He also said that he wasn't able to verify the State Department connection until he returned to St. Paul Sept 23, when he was still recovering from jet lag.

Meanwhile, Linsley had put the suction pump—as we old-time reporters put it—on Mirocha's lab staff and discovered the "Hayes connection."

Now the plot thickens.

A. Wallace Hayes was the middleman who got the leaf and stem samples from the State Department and relayed them to Mirocha without disclosing their source or the purpose of the test.

Who is this mystery man? He is a Philadelphia toxicologist and pharmacologist employed by Rohm and Haas, a chemical company that, among other things, specializes in agricultural chemicals. He's also editor of the Journal of Applied Toxicology. When Linsley finally managed to get Hayes on the phone he said he knew nothing about any samples.

But Mirocha would later explain to the council that Hayes did, in fact, request the test, adding that he ran it as part of the lab's routine work, for which the university charges a per-job fee. The lab tests hundreds of samples, most related to Minnesota agriculture, all of which are public information. Mirocha conceded at the council hearing that it was "a little extraordinary" to run a test of the kind Hayes requested, but he said he assumed Hayes was on the brink of a discovery that could be patented.

That raises a question about the Hayes-Mirocha relationship: Do they have mutual links to the intelligence community? Mirocha, who has been at the university since 1963, said he had never held a government job, doesn't have a security clearance and had met Hayes only at scientific gatherings.

After some delay, during which Linsley was pursuing other sources, Mirocha called her back Sept. 25. He regarded her questions as perfunctory, and indeed by then she was on top of the story as she saw it. Her first story ran Sept. 28, and it began:

"Highly guarded government-sponsored analyses of suspected biological warfare agents have been under way at the University of Minnesota for about two months, the Dispatch has learned.

"The work, conducted at the St. Paul campus plant pathology laboratory under the direction of Prof. Chester J. Mirocha, was done without the knowledge of university officials, and was undertaken despite university policies prohibiting classified or secret research."

This story quoted Mirocha as saying he would have done the test even if he had known the purpose because he felt he owed it to his government.

Her follow-up story on Sept. 29 began, "Some University of Minnesota regents say university policy of classified or secret research has to be tightened up."

In contrast, on the same day the St. Paul Pioneer Press ran a story by Mike Sweeney that quoted at length the professor's vows that he was innocent of violations of university secrecy guidelines.

The next day Linsley did a long rehash that buried in the eighth paragraph a joint denial that the tests were secret by Mirocha and David French, his department chairman. And that same day, a Dispatch editorial, with the headline "Nothing sinister about U testing," declared that there was no evidence that Mirocha had violated university secret-research rules. It was a complete vindication for the professor.

He got another on Oct. 15 when the university's Board of Regents exonerated him in a resolution that deplored any aspersions about his integrity. Linsley wrote a story that covered this action, though she quoted another professor who suggested the need for a firm university policy on service for outside clients.

By then, Mirocha had worked up a full head of steam. He filed a complaint with the News Council, which mandates an attempt at conciliation before it will grant a hearing. Instead of cooling it at a meeting with Dispatch editors on Oct. 28, Mirocha rejected as an insult an offer either to write a letter to the editor or an article that would be twinned with a Linsley rebuttal.

He also rejected, in favor of a full-dress News Council review, a proposed "clarification." The language of it was tantamount to a retraction that cleared the professor and put the onus on the State Department.

In short, the Dispatch was willing to concede that Mirocha was a victim rather than a party to any secrecy.

What more, then, did he want?

An apology for a "defamatory" story "created out of fantasy," he said. Even though Dispatch Managing Editor W.F. Cento was willing to concede "an unintended implication" in the first story, a demand that the newspaper *apologize* stuck in the editors' craws.

At this point, the ground shifts away from Mirocha's role to Linsley's techniques.

He accused her of downright "non-professional" conduct, citing as evidence the "interrogating" and "harassing" of his laboratory staff—in one instance her arriving at the dwelling of a male technician at 12:30 a.m.

Mirocha also produced a letter from A. Wallace Hayes' wife that accused Linsley of falsely claiming to be a Mirocha assistant during an October telephone call. Such misrepresentation is a universally condemned sin in journalism, and Linsley denied she had committed it. She suggested she was being "set up." She had, in any event, called the Hayes residence in September, not October, as Mrs. Hayes said.

Mirocha's state of mind was evident from an Oct. 8 letter to John R. Finnegan, executive editor of the St. Paul papers. It concluded: "When I returned from Cairo and learned of Ms. Linsley's harassment of my employees, I decided I wanted nothing to do with her. Her conduct and resulting story convinced me that I never want anything do to with a Dispatch reporter."

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Here's my own reaction, based on close to 50 years in the newspaper business, which I am about to leave. If that makes me prejudiced, so be it. As a preface, I cite the iron law for a professional journalist—which Jeann Linsley obviously is, despite her age—that the bigger the story, the harder you must work on it. Absent that, there would be little good journalism. So much for the charge of harassment and interrogation.

I agree with my friend Finnegan that she's a "stubborn" reporter, and he's lucky she is.

Yet didn't she needle—as we old-timers used to say—her first story? I think she did. Indeed, she milked the secrecy angle: She traded hard on comments that Mirocha's critics made about the alleged secrecy.

Still, I see extenuating circumstances in at least her first story when she was under time pressures and could find nobody at the university who really knew what was going on. In journalism, as in other fields including law, medicine and even science, there comes a time when you have to go with what you've got. From a reporter's viewpoint, as well as the public's, she *was* confronted with a "guarded" and "secret" situation, albeit the real watchdogs were woofing in Washington.

She was also misled by normally sound university sources who were plainly confused, for example, about whether there is a distinction between "research," which is subject to the guidelines, and "tests," which aren't.

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Even University of Minnesota President C. Peter Magrath said at the Oct. 15 regents meeting that the "tests performed were not research," although he told me this week that the research policy guidelines do cover tests. In any case, Mirocha told me that he had no objection to doing secret work, but that of course he'd get official permission before doing it.

Actually, the university's glorious secrecy ban isn't iron-clad. It has a loophole for classified and secret government work. There are steps prescribed for getting a waiver to do it. Although Magrath told me he knew of no waivers, that loophole ought to be a red flag for reporters and editors.

Linsley's claim that the tests were done without anyone outside the lab becoming aware of them was accurate. The explanation now is that Mirocha's lab routinely does so many tests that there's no reason to pass a running list up the chain of command.

But *this* one was different. Clearly, there ought to be more accountability in a state university, even though all research—and, as we now know, testing—is supposed to be an open book.

The test in question, after all, wasn't just another corn test for a farmer or for Cargill. It was an unusual request from Philadelphia. And the State Department still treats the subject as ostensibly classified, regardless of the university's publish-all policy. That's all the more reason Linsley was entitled to demand access to the facts, and fast.

I can nevertheless see why Mirocha, who comes across as a person of stiff dignity and pride—some might say with a touch of arrogance—was hurt. Not, I think, so much by the facts but more by the innuendo. Linsley compounded this by not trying harder to question the professor in depth *before* she wrote her first story. For this her editors must take the primary blame.

Comments made by two members of the News Council bear repeating.

One was from Jim Miles, who told the professor he was oversensitive. The other was from David Graven, who remarked that the innuendo of wrongdoing wasn't accurate, adding to Mirocha: "The Dispatch gave you a clean bill of health. It put the blame on the State Department. That remedies the innuendo. You came out a bloody hero!"

The News Council decision is going to be that, yes, Mirocha was put in a false light, but to the extent that he was reluctant to cooperate with the Dispatch reporter—indeed, was hostile—it was a self-inflicted wound.

I must add that when I talked with Mirocha—after the fact, to be sure—he was gracious and forthcoming. For all her natural skills, Linsley may still have something to learn about how to "romance" a source as well as how to don the garb of a stubborn, hard-nosed investigative reporter. She's fortunate in having some old-pro editors who backed her to the hilt, but, if I'm right, they should give her guidance as well as drawing her in as they close ranks to mitigate embarrassment.

Good luck, Jeann. Newspapers need your kind. But never forget, journalism is an art you must work on mastering all your life. I guess we never really do, which is why it's fun.